

HAILEY ORDINANCE NO. 1079

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, ARTICLE 9, PARKING AND LOADING SPACES, BY AMENDING SECTION 9.1., GENERAL REQUIREMENTS, TO PROVIDE EXCEPTIONS FOR CHANGE OF USE WITHIN THE CENTRAL BUSINESS DISTRICT; SECTION 9.2.1, LOCATION OF PARKING SPACES TO SPECIFY ON-SITE PARKING AREAS ARE REQUIRED TO BE LOCATED AT THE REAR OF THE BUILDING; SECTION 9.2.2, LOADING SPACE REQUIREMENTS AND DIMENSIONS TO USE CONSISTENT TERMS; SECTION 9.2.3 TO PROVIDE MORE FLEXIBILITY IN THE LOCATION OF IMPROVEMENTS TO THE RIGHT OF WAY; SECTION 9.2.8 TO CLARIFY ACCESS REQUIREMENTS; SECTION 9.2.9 TO CLARIFY SCREENING AND LANDSCAPE REQUIREMENTS; SECTION 9.4 TO CHANGE THE FORMULA FOR ROUNDING; SECTION 9.4.1 TO USE CONSISTENT TERMS; SECTION 9.4.2 TO SIMPLIFY AND REDUCE THE NUMBER OF SPACES REQUIRED FOR COMMERCIAL, PROFESSIONAL, SERVICE, RECREATION AND ENTERTAINMENT USES; SECTION 9.4.3 TO REDUCE THE NUMBER OF SPACES REQUIRED FOR LIBRARIES; SECTION 9.4.7 TO REQUIRE BICYCLE PARKING FOR MULTI-FAMILY, COMMERCIAL OR MIXED-USE DEVELOPMENT IN ANY ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

WHEREAS, the amendments will not create excessive additional requirements at public cost for public facilities and services;

WHEREAS, the proposed uses are compatible with the surrounding area; and

WHEREAS, the amendment will be in accordance with the safety and welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 9.1, General Requirements, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.1.1 No building or structure shall be erected unless permanently maintained parking and loading spaces have been provided in accordance with the provisions of this Ordinance.

9.1.2 Any person making any alteration to a building or use, which increases the required parking of the building or use beyond that already provided, shall provide the additional parking spaces mandated by the alteration prior to completion of the alteration, except as otherwise provided herein.

A. Continuation of a former use or a change of use within the Central Business District that does not involve the expansion of the gross floor area of the building is exempt from providing additional parking spaces.

1. Should a change of use within the Central Business District involve the expansion of gross floor area of the building, only the additional building area is subject to the on-site parking requirements.

Section 2. Section 9.2.1, Location of Parking Spaces, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.2.1 Location of On-Site Parking Spaces. The following regulations shall govern the location of ~~off street~~ on-site parking spaces and areas, except as otherwise provided below and in section 9.4.8.

a. ~~Except as otherwise provided herein,~~ parking spaces for all single family dwellings shall be located on the same lot as the dwelling which they serve, except as otherwise provided in section 9.4.1.

b. Parking spaces for multi family or institutional uses shall be located not more than 300 feet from the principal use.

c. Parking spaces for commercial or industrial uses shall be located not more than 800 feet from the principal use and must be located within a B, LB, SCI or LI District.

d. ~~No parking space, required or otherwise, or portion thereof, shall be located within the public right of way, unless otherwise provided herein.~~

d. New on-site parking areas shall be located at the rear of the building, except within the SCI zoning district where parking is allowed at the side of the building.

e. On-site parking areas are not permitted between the sidewalk within the public right-of-way and the primary frontage of a building, except where the location of an existing buildings or site conditions precludes another location for parking; such parking requires a landscape buffer, or an alternative approved by the Administrator, between sidewalk and parking.

Section 3. Section 9.2.2, Loading Space Requirements and Dimensions, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.2.2 Loading Space Requirements and Dimensions. The following regulations shall apply to all commercial and industrial ~~buildings uses with off-street~~ on-site loading areas.

- a. One (1) loading space shall be provided for any single retail, wholesale or warehouse occupancy with a floor area in excess of 4000 square feet, except grocery and convenience stores where one (1) loading space shall be provided for a floor area in excess of 1000 square feet. An additional loading space shall be required for every additional 10,000 square feet of floor area, except grocery and convenience stores where an additional loading space shall be required for every additional 5,000 square feet of floor area. Such spaces shall have a minimum area of 500 square feet, and no dimension shall be less than 12 feet.
- b. Convenient access driveways to loading spaces from streets or alleys shall be provided; they shall not be less than 12 feet in width.
- c. No loading space required by this Ordinance shall project into any street, alley, or other public right of way.

Section 4. Section 9.2.3, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.2.3 Parking Credit.

A. ~~Non - residential uses within the Business, and Limited Business Districts and Transitional Districts may improve City right-of-way within 1,200 feet of the property on which the use is located and may be credited with the parking spaces created by that improvement, and non-residential uses in the Transitional District may improve City right-of-way directly adjacent to the property on which the use is located and may be credited with the parking spaces created by that improvement.~~

1. Improvements shall be located within areas that meet the most number of the following criteria used to determine the funding priority of city projects:

- a. Located within ¼ or ½ mile of a school
- b. Provides continuous connection
- c. Decreases a hazardous condition in need of repair
- d. Located within or adjacent to designated bicycle and pedestrian corridors
- e. Located within or adjacent to designated collectors
- f. Provides neighborhood interconnection
- g. Located within ¼ or ½ mile of Downtown or neighborhood services
- h. Located within Downtown

2. Parking credited shall be subject to the following requirements:

a. Improvements for parking spaces to be credited to a property will be constructed in accordance with City Standards and approved engineered drawings for the right-of-way. Sufficient space, exclusive of travel lanes, for the planned parking within the right-of-way must exist. These improvements may include concrete curb, gutter, and sidewalk, asphalt paving, storm drainage, street trees including irrigation, ornamental lamps, benches, trash receptacles or other street furniture, parking striping or any other improvement considered necessary or appropriate to the district and surrounding uses by the Administrator or the Commission.

b.. No parking area within any City right-of-way shall be held or used for exclusive parking for any property owner. The right-of-way shall be open to use by the public. ~~At the direction of~~ Upon approval by the Council the right-of-way improved may be posted for short-term parking only.

c.. Credit shall also be given for those improvements installed as a portion of a Local Improvement District (LID) which assessed the subject property.

d. The owner or owner's successors shall be credited the total number of spaces credited by an LID or other improvements to the City right-of-way allowed in this section.

~~d. No angle in parking shall be developed in any right-of-way less than 50' from the center line to the property line.~~

~~e. No parking is permitted in any public or private travel lane. Lane widths are as established in City Standards.~~

~~f. Improvements shall be located within or adjacent to the Business, Limited Business or Transitional Districts, unless no location within 1200 feet is found to be feasible for such improvements.~~

~~1. Credit for parking spaces for right of way improvements within 1200 feet, but not directly contiguous to the subject property, shall be limited to not more than 50% of the total required number of parking spaces for any development, with the following exception:~~

~~2. Uses having less than 50% parking demand during the weekday 7 a.m. to 5 p.m. time period as set forth in Table 1 of Section 9.4 shall be limited to 75% of the total required number of spaces within 1200 feet but not directly contiguous to the subject property.~~

Section 5. Section 9.2.8, Access, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.2.8 Access.

A. Except as otherwise provided herein, any parking area on private property, shall be designed in such a manner that any vehicle leaving or entering the parking area from or onto a public street shall be traveling in a forward motion.

B. Where alleys exist, access to on-site parking for any non-residential use or for any multifamily dwelling of three or more units shall be from the alley. Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.

C. If the site is not serviced by an alley, access shall be from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.

D. Access driveways for all for on-site parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.

E. Access for subdivisions shall be provided in accordance with standards set forth in Section 4 of the Subdivision Ordinance.

aF. Parking areas containing no more than two (2) parking spaces in any zoning district and or parking areas within the LR, GR, TN, TI and LI Districts may be designed to allow a vehicle to back from the parking area into the public right-of-way.

bG. Parking areas for residential uses only may be designed to allow required parking spaces for one vehicle to deny access to another vehicle, thus "stacking" the parking area. For non-residential uses, stacked parking may be allowed only for additional spaces that may be provided in excess of the required number of parking spaces.

~~e. _____ Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.~~

Section 6. Section 9.2.9, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.2.9 Screening and Landscaping.

A. _____ All loading space areas and parking areas for any use containing more than 4 surface parking spaces, and located in or adjacent to a residential district, shall be effectively screened be screened from a public street and shall be screened on all sides which adjoin or face any other residential property, except where spaces have direct access from a right-of-way.

1. The screening shall consist of an acceptably designed wall, fence or drought tolerant landscaping planting screen.

a. _____ Such a fence or wall shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence or wall and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs, evergreen ground cover or trees, drought tolerant landscaping and maintained in good condition.

B. _____ When a project is being reviewed pursuant to Article 6.A and an existing on-site parking area is located adjacent to a sidewalk, a landscape buffer is required between the surface of the parking area and the sidewalk.

aC. _____ Parking areas designed to accommodate 10 60 or more cars shall have no less than 10% of their surface area landscaped include landscaping appropriately located within the parking area to adequately break up the pavement area. The landscaping shall include deciduous trees no smaller than 2" caliper.

Section 7. Section 9.4. On-Site Parking Space Requirements, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.4 On-Site Parking Space Requirements.

aA. _____ For the purpose of this Ordinance, the following on-site parking space requirements shall apply as the minimum number of parking spaces which shall be provided on-site by the given use.

1. Where the calculation of parking spaces results in a fraction, the required parking shall be rounded up down to the nearest whole number when the calculation equals less than 10 (e.g., if the requirement is "one space per 1000 square feet", an area of 9010 square feet calculates to 9.01 but will require ten parking spaces.); and shall be rounded down to the nearest whole number where total calculation exceeds 10 (e.g., 10,900 square feet calculates to 10.9 but will require 10 parking spaces).

b2. _____ For the purposes of this Section, "gross area" is defined as the total square foot area of a given use, as designated for each use. ~~Storage areas in basements are not included in gross area. "Net area" is defined as the area consistently used by customers, patrons, and employees of the use. Net area does not typically include areas such as hallway and elevator areas, bulk storage and freezer areas, employee break areas, restrooms and machinery rooms.~~

e3. _____ Where a specific use is not listed, and no similar use is listed, the required minimum number of on-site parking spaces shall be one per 1,000 gross square feet.

d4. All uses shall provide handicap accessible parking spaces as required by the IBC, and designed to comply with the standards set forth in ANSI A117.1. Such spaces may be included in the total number of required on-site parking spaces.

e5. Up to 25% of the required on-site parking spaces may be provided with compact parking spaces, but in no case shall more than five (5) spaces be reserved as compact. Compact spaces must be signed as such.

Section 8. Section 9.4.1. Residential, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.4.1 Residential. ~~No parking space, or portion thereof, shall be located in any right of way or public thoroughfare, unless otherwise provided herein. Parking spaces within any garage, carport or similar structure shall be credited at 1 space per nine (9) feet of floor width and 21 feet of floor length.~~

aA. Single family dwelling residences: 2 per dwelling residence minimum, 6 per dwelling residence maximum.

1. Parking spaces within any garage, carport or similar structure shall be credited at 1 space per nine (9) feet of floor width and 18 feet of floor length.

2. The City will allow the use of 100' foot wide right-of-ways within the Hailey Original Townsite for licensed passenger vehicle parking for single family dwellings. Parking for accessory dwelling units must be provided on site.

b. Accessory Dwelling Units and aAll dwellings residences less than 1,000 square feet, ~~including accessory dwelling units:~~ a minimum of 1 space per unit.

c. Multiple family dwellings and dwelling units with a Mixed Use Building: A minimum of 1.5 spaces per unit.

Section 9. Section 9.4.2. Commercial, Professional, Service, Recreation and Entertainment, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.4.2 Commercial, Professional, Service, Recreation and Entertainment.

A. All commercial, professional, service, recreation and entertainment uses shall provide improved parking in the amount of one parking space for every 1,000 square feet of gross building area; except as follows:

1a. Athletic fields and other outdoor sports facilities: 1 space per 5000 square feet of gross land area.

2b. Auditoriums, theaters, sports arenas, and other assembly areas not otherwise regulated herein: 1 for each 4.5 persons at the rated maximum occupancy of the building.

~~e. Automobile service garages: 2 for each service bay. Service bays are not counted as parking spaces.~~

~~d. Auto Rental: 1 space per 500 square feet of office space.~~

~~e. Automobile Sales: 1 customer space per 5000 square feet of developed lot area used for display.~~

~~f. Cartage, express and parcel delivery, trucking companies: 1 space per 1000 square feet floor area, plus 1 space for each 250 square feet of net floor area within customer service areas.~~

~~g. Car Wash: 2 spaces per bay/stall to be used as stacking space, and 1 space per bay/stall to be provided for drying/vacuuming.~~

~~h. Convenience Stores: 1 space for each 100 500 square feet of net floor area. Spaces adjacent to gasoline pumps shall be included as on-site parking.~~

~~2i. Golf Course; 2 spaces per hole, 2 per driving range, and 2 per putting green, plus space as required for any clubhouse.~~

~~j. Hotels, motels, other lodging: 1 per sleeping room. No parking space required under this sub-section shall be located in any right-of-way or public thoroughfare.~~

~~3k. Tennis Courts: 1 space per court.~~

~~l. Offices: 1 space for every 500 square feet of gross building area.~~

~~m. Restaurants and Bars: 1 space for every 500 square feet of gross building area.~~

~~n. Fitness centers, health clubs, exercise/aerobics studios: 1 space for every 250 square feet of usable studio space, plus 1 space per racquetball/squash/handball court.~~

~~o. Banks: 1 space for every 500 square feet of gross building area.~~

Section 10. Section 9.4.3. Institutional, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.4.3 Institutional:

aA. Cemetery: 1 space per full time employee.

bB. Churches and other places of religious assembly: 1 for each 5 seats.

eC. Hospitals: 1 for each bed.

dD. Libraries: 1 for each ~~400~~ per 1,000-square feet of net gross building area.

eE. Post Office: 1 space for every 120 post boxes plus one space for every three employees.

fF. Police, Ambulance, and Fire Stations: 1 space for each vehicle employed plus 1 space for each employee on shift. No parking space required under this section shall be located in any right-of way or public thoroughfare.

gG. Sanitariums, homes for the aged, nursing homes, children homes, asylums and similar uses: 1 for each 3 beds.

Section 11. Section 9.4.7. Special Provisions for Parking In Business, Limited Business and Transitional Districts, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.4.7 Bicycle Parking ~~Special Provisions for Parking in Business, Limited Business and Transitional Districts:~~

~~a. Surface parking lots must be located behind buildings whenever possible to minimize the visual impact from public ways. Curb cuts and breaks in pedestrian pathways should be minimized.~~

~~b. Surface parking is not permitted between the sidewalk and the primary frontage of a building, except where the location of existing buildings precludes another location for parking. Such parking requires a landscape buffer between sidewalk and parking.~~

eA. All multi-family residential and commercial or mixed-use development, including new construction and additions, must shall provide at least three (3) bicycle parking spaces or bicycle spaces equivalent to twenty five (25%) of the required number of vehicle parking spaces, whichever is greater.

Section 12. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 13. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

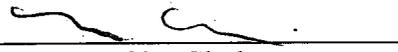
Section 14. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 28th DAY OF February 2011.



Richard L. Davis, Mayor, City of Hailey

Attest:



Mary Cone, City Clerk

Publish: Idaho Mountain Express _____, 2011
1079 summary to be published

